

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
MAY 21, 2008

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, May 21, 2008, at 7:00 p.m.**, at City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order at 7:00 p.m.

Invocation.

Pledge of Allegiance to the Flag.

Present: Warpinski, De Wane, Nicholson, Theisen, Krueger, Haefs, Erickson, Brunette, Zima, Evans, Vander Leest, Johnson, Dantine, La Violette, Andrews, Kaster, Knier, Williams, Fleck, Clancy, Wetzel, Langan, Scray, Hoeft, Lund, Fewell

Total Present: 26

**** Presentation ****

By Dick Koltz, Mark Hagendorn, Stan Kaczmarek
Information on Farm Technology Days
To be held July 15-17, 2008 at Country Aire Farms

No. 1 -- Adoption of Agenda.

A motion was made by Supervisor Krueger and seconded by Supervisor La Violette **“to approve the agenda.”** Voice vote taken. Motion carried unanimously with no abstentions.

No. 2 -- COMMENTS FROM THE PUBLIC REGARDING AGENDA ITEMS ONLY.

1. John Berggren, 389 Sunlite Drive, Oneida, stated his concerns regarding the Oneida Service Agreement being in Closed Session. Mr. Berggren stated his concern that a Closed Session on this subject prevents him from presenting his questions about the Service Agreement.
2. Rich Heidl, 667 Hickory Drive, Hobart Village President, expressed his concerns regarding the Oneida Service Agreement.
3. Bill Woodward, representing Hanaway, Ross Law Firm, expressed concerns that an opportunity be given to the public to learn the contents of the Service Agreement and be given a chance to express any concerns from the Village of Hobart.

No. 3 -- APPROVAL OF MINUTES OF COUNTY BOARD OF:

a) **Special Meeting of April 10, 2008**

b) **Regular Meeting of April 15, 2008 and continuation of meeting on April 17, 2008.**

A motion was made by Supervisor Warpinski and seconded by Supervisor De Wane **“to approve the minutes of April 10, 2008, April 15th & 17th with one vote.”** Voice vote taken. Motion carried unanimously with no abstentions.

No. 4 -- ANNOUNCEMENTS BY SUPERVISORS.

Supervisor Theisen announced that Sunday, June 8th is St. Mary of the Angels Annual Church Picnic featuring Polish Brats and Sauerkraut. He encouraged everyone to attend.

Supervisor Dantine announced that Sunday, June 1st is Breakfast on the Farm at the Schlies Family Farm in New Denmark. Supervisor Dantine added this is a great opportunity to show children all the animals and machinery on a farm.

Supervisor Clancy congratulated Steve Fewell and his wife on their 25th Wedding Anniversary.

Supervisor Williams announced Memorial Day is next Monday. He asked that everyone remember this is a special day to reflect on our loved ones who have passed on plus on those who have served our country in an unselfish way.

Supervisor Johnson mentioned that this is National Police Week and expressed her disappointment that very few people were at the National Police Night on Tuesday, May 20th. She asked that people take time to thank our local Police and Fire Departments, who serve us so well.

Supervisor Hoeft invited the Supervisors to attend a Program by Sarah Stump called “Learning of Diversity” at UWGB from June 18-20. The web site for information is www.legacyunlimited.net.

Supervisor Fleck invited everyone to “Celebration of De Pere” on May 24th and May 25th. Admission is reduced this year and is \$5.00. Supervisor Fleck sited the many events planned and encouraged everyone to attend.

Supervisor Haefs said he is disturbed with the Village of Hobart’s statement in the Press Gazette about Supervisor Hoeft. He feels Supervisor Hoeft does not deserve this kind of treatment.

No. 5 -- COMMUNICATIONS. None. LATE COMMUNICATIONS:

No. 5a -- FROM SUPERVISOR LUND REGARDING: BROWN COUNTY DEVELOP A COMPREHENSIVE ENERGY POLICY. LOOK TO CONSERVE ENERGY AS WELL AS SAVING PREVIOUS TAX DOLLARS.

Refer to County Executive.

No. 5b -- FROM SUPERVISOR WARPINSKI REGARDING: TO DIRECT THE BROWN COUNTY SHERIFF TO ESTABLISH FACEBOOK AND MYSPACE GROUPS FOR THE BROWN COUNTY SHERIFF’S DEPARTMENT. The intention of this is to provide information about the Brown County Sheriff’s Department to the users

of the above services and to also provide a resource for those users to report internet abuse, on-line stalking, child enticement and other illegal acts committed via the internet.

Refer to Public Safety Committee.

No. 5c -- FROM SUPERVISOR WARPINSKI REGARDING: REQUEST THAT BROWN COUNTY ESTABLISH HOME PAGES FOR EACH SUPERVISOR PROVIDING RELEVANT INFORMATION INCLUDING A DETAILED PDF OF DISTRICT MAPS, BIOGRAPHICAL INFORMATION, AND SUCH OTHER THINGS AS NECESSARY.

Refer to Administration Committee.

No. 5d -- FROM SUPERVISOR WARPINSKI REGARDING: THAT AN ONLINE COMMENT FORM BE INSTALLED ON THE BROWN COUNTY HOME PAGE. (WWW.CO.BROWN.WI.US)

Refer to Administration Committee.

No. 5e -- FROM SUPERVISOR WARPINSKI REGARDING: REQUEST THAT BROWN COUNTY IDENTIFY THE IMPACT OF THE HOUSING/FORECLOSURE CRISIS ON BROWN COUNTY RESIDENTS AND ESTABLISH POLICIES TO ASSIST HOMEBUILDERS, REALTORS, HOMEOWNERS, AND FINANCIAL INSTITUTIONS IN BROWN COUNTY.

Refer to Planning, Development and Transportation Committee.

No. 5f -- FROM SUPERVISOR NICHOLSON REGARDING: REVIEW A POSSIBLE ORDINANCE ON CHAINING DOGS WITHIN THE COUNTY OF BROWN.

Refer to Public Safety Committee.

No. 5g -- FROM SUPERVISOR NICHOLSON REGARDING: REVIEW THE OFFICER VAN VONDEREN CASE

Refer to Public Safety Committee.

No. 5h -- FROM SUPERVISOR KASTER REGARDING: REVIEW THE VEHICLE TAKE HOME POLICY - INVENTORY OF ALL VEHICLES BY DEPARTMENT - WHICH VEHICLES ARE GOING HOME, WHO IS TAKING THEM HOME, WHY? -- ALSO WHICH VEHICLES CAN BE SIGNED FOR AND ALSO TAKEN HOME -- HOW MUCH MORE IS THE COUNTY PAYING FOR INSURANCE ON TAKE HOME VEHICLES COMPARED TO VEHICLES THAT REMAIN AT THE FACILITY -- WHO IS PERMITTED TO BE TRANSPORTED IN COUNTY VEHICLES THAT ARE TAKEN HOME OR USED OUTSIDE OF REGULAR WORK HOURS.

Refer to Executive and Administration Committees.

No. 5i -- FROM SUPERVISOR KNIER REGARDING: REQUEST THE SHERIFF'S DEPARTMENT EVALUATE THE EXTRA FISCAL IMPACT TO BROWN

COUNTY TAXPAYERS FOR THE SHERIFF'S DEPARTMENT TO SERVICE THE PROBATION AND PAROLE OFFICE BEING ERECTED IN LEDGEVIEW AND SCHEDULED TO OPEN IN JANUARY 2009.

- Refer to Public Safety Committee.

No. 6 -- APPOINTMENTS BY COUNTY EXECUTIVE. (None)

No. 7a -- COUNTY EXECUTIVE REPORT

Jayme Sellen, Assistant to the County Executive, spoke on behalf of County Executive Tom Hinz. She announced the newsletter "For Your Information" will be published every other month and she hopes it will be informative to all.

No. 7b -- REPORT BY BOARD CHAIRMAN.

Chair Zima stated the County Board Office has been careful about not letting information of Task Force out and explained a decision on the Oneida/Brown County Service Agreement should be reviewed by the Supervisors prior to the news media and the public seeing it, therefore that is why a closed session has been called for tonight.

Fred Mohr, Acting Corporation Counsel addressed the County Board. Mr. Mohr explained the Attorney General's Opinion regarding the existing agreement. The County Board hasn't given the negotiating committee any parameters to make an agreement. Therefore, the Committee will do its best to inform the County Board and give complete information prior to ratification.

No. 8 -- OTHER REPORTS.

No. 8a -- TREASURER'S FINANCIAL REPORT FOR THE MONTH OF DECEMBER 2007.

- BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR
THE MONTH OF DECEMBER

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the Brown County Treasurer as of DECEMBER 31, 2007.

Associated Bank	\$ 12,709,878.82
Wisconsin Development Fund	0.00
Sweep Account (Repurchase Agreements)	16,908,850.94
Deposits in Transit	3,505,158.43
Emergency Fund	(228,823.56)
Non-sufficient Fund Checks Redeposited	4,451.00
Clerk Passport Account	0.00
Workers Comp Acct.	(11,642.63)

Fiserv Sweep Account	(641,410.56)
E-Flex Sweep Account	0.00
Bank Error(s)	0.00
Total	32,246,462.44
Less Outstanding Checks	(2,121,300.52)
Other Reconcilable Items	0.00
Balance Per Cash Book	\$ 30,125,161.92

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of DECEMBER 31, 2007.

Year-To-Date Interest Received - Prior Month	6,365,247.45
Interest Received - Current Month	411,628.47
Year-To-Date Interest Received on Unrestricted Funds	\$ 6,776,875.92
Working Capital Reserves Invested	134,155,636.40
Restricted Investments	9,445,028.39
Total funds invested	\$143,600,664.79

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of DECEMBER 31, statement of Investments for the month of DECEMBER have been compared and examined, and found to be correct.

\s\ Kerry M. Blaney
County Treasurer

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

TREASURER'S FINANCIAL REPORT FOR THE MONTH OF JANUARY 2008.

BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF JANUARY

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the Brown County Treasurer as of JANUARY 31, 2008.

Associated Bank	\$ 14,223,830.28
Wisconsin Development Fund	0.00
Sweep Account (Repurchase Agreements)	13,191,968.43
Deposits in Transit	2,169,193.06
Emergency Fund	(69,455.82)
Non-sufficient Fund Checks Redeposited	8,971.25
Clerk Passport Account	(201.00)
Workers Comp Acct.	(15,380.98)
Fiserv Sweep Account	(617,044.89)
Bank Error(s)	0.00

Total	28,891,881.03
Less Outstanding Checks	(2,954,940.45)
Other Reconcilable Items	0.00
Balance Per Cash Book	\$ 25,936,940.58

Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of JANUARY 31, 2008.

Year-To-Date Interest Received - Prior Month	0.00
Interest Received - Current Month	582,306.94
Year-To-Date Interest Received on Unrestricted Funds	\$ 582,306.94
Working Capital Reserves Invested	123,251,088.17
Restricted Investments	9,445,028.34
Total funds invested	\$132,696,116.51

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of JANUARY 31, statement of Investments for the month of JANUARY have been compared and examined, and found to be correct.

 /s/ Kerry M. Blaney
County Treasurer

Approved by: /s/ Tom Hinz, County Executive Date: 5/29/2008

TREASURER'S FINANCIAL REPORT FOR THE MONTH OF FEBRUARY 2008.

**BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR
THE MONTH OF FEBRUARY**

Following is a statement of the County Treasurer of the Cash on Hand and in the General Account of the Brown County Treasurer as of FEBRUARY 29, 2008.

Associated Bank	\$ 1,737,441.34
Wisconsin Development Fund	0.00
Sweep Account (Repurchase Agreements)	0.00
Deposits in Transit	310,747.65
Emergency Fund	(51,434.90)
Non-sufficient Fund Checks Redeposited	3,356.55
Clerk Passport Account	(140.00)
Workers Comp Acct.	(6,648.13)
Fiserv Sweep Account	(452,956.62)
Bank Error(s)	0.00
Total	1,540,365.89
Less Outstanding Checks	(2,357,595.24)
Other Reconcilable Items	0.00

Balance Per Cash Book	\$ (817,229.35)
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Following is a statement of the County Treasurer of the Working Capital reserves placed in time deposits in the designated public depositories within Brown County for the purpose of investments as of FEBRUARY 29, 2008.

Year-To-Date Interest Received - Prior Month	582,306.94
Interest Received - Current Month	410,374.96
Year-To-Date Interest Received on Unrestricted Funds	\$ 992,681.90
Working Capital Reserves Invested	146,752,962.74
Restricted Investments	4,332,956.84
Total funds invested	\$151,085,919.58

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the above statement of Cash on Hand and in the General Account as of FEBRUARY 29, 2008 Statement of Investments for the month of FEBRUARY have been compared and examined, and found to be correct.

\s\ Kerry M. Blaney
County Treasurer

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

A motion was made by Supervisor Johnson and seconded by Supervisor Dantine “**to receive and place on file**”. Voice vote taken. Motion carried unanimously with no abstentions.

No. 9 -- STANDING COMMITTEE REPORTS:

No. 9a -- REPORT OF ADMINISTRATION COMMITTEE OF APRIL 29, 2008

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The ADMINISTRATION COMMITTEE met in regular session on April 29, 2008, and recommends the following motions:

1. Election of Chair. Supervisor Tom Lund elected as Chair of Administration Committee.
2. Election of Vice Chair. Supervisor Jack Krueger elected as Vice Chair of Administration Committee.
3. Set date and time for regular meetings. Meet on 1st Wednesday of month at 6 p.m.
4. Review minutes of:
 - a. Housing Authority (3/13/08).
 - b. Facility Master Plan Sub Committee (3/13/08)Receive & place on file items a-b.
5. Communication from Supervisor Bernie Erickson re: Upon touring new computer center, it was discovered that fire protection is a water sprinkler system. Would like to find out the price of the correct chemical system that is appropriate for our computer room and purchase in the 2009

- budget. (Referred from April 15, 2008 County Board.) Refer to Facility Management to research and bring back to next Administration Committee meeting.
6. Dept. of Administration - 2008 Budget Transfer Log. Receive & place on file.
 7. Dept. of Administration - Budget Status Financial Report for March 31, 2008. Receive & place on file.
 8. Dept. of Administration - Ordinance re: To Amend Sec. 30.02 of Brown County Code entitled "Ordinance Enforcement by Citation." (Referred to Public Safety Committee.) Hold for one month for more information. See Resolutions, Ordinances May County Board.
 9. Dept. of Administration - Information Services – Update on City/County Fiber Project. Receive & place on file.
 10. Dept. of Administration - Information Services – Budget Status Financial Report for March 31, 2008. Receive & place on file.
 11. Dept. of Administration - Update on Quarterly Report of Corporation Counsel Outside Legal Fees. Receive & place on file.
 12. Dept. of Administration - Resolution re: Change in Table of Organization Department of Administration (Addition of Limited Term Employees). Referred to Executive Committee. Committee approved. See Resolutions, Ordinances May County Board.
 13. Treasurer - Financial reports for the months of December 2007, January 2008 & February 2008. Receive & place on file.
 14. Treasurer - Financial highlights for 2007. Receive & place on file.
 15. Treasurer - Budget Status Financial report for:
 - a. February 2008.
 - b. March 2008.Receive & place on file items a-b.
 16. Human Resources - Monthly Committee Report (March 2008). Receive & place on file.
 17. Human Resources - Budget Status Financial Report for March 31, 2008. Approved.
 18. Child Support Agency - Information report re: Change in Medical Support Liability Revenue for the Child Support Agency. Receive & place on file.
 19. Child Support Agency - Budget Status Financial Report for March 2008. Receive & place on file.
 20. Corporation Counsel - Resolution re: Disallowance of Claim (James Vander Heyden). Committee approved. See Resolutions, Ordinances May County Board.
 21. Corporation Counsel - Resolution re: Disallowance of Claim (Carol L. Debauche). Committee approved. See Resolutions, Ordinances May County Board.
 22. Corporation Counsel - Resolution re: Disallowance of Claim (Progressive Classic Insurance Co. on behalf of Tamara Conard.) Committee approved. See Resolutions, Ordinances May County Board.
 23. Corporation Counsel Budget Status Financial Reports for:
 - a. February 2008.
 - b. March 2008.Receive & place on file items a-b.
 24. Facility Management - Request for Budget Transfer (#08-24): Increase in Expenditures with Offsetting Increase in Revenue: There was an overcharge of \$12,000 for copy center copies (now recorded in Other Misc. revenue). This will be used to offset purchase of copy center equipment. Approve.
 25. Facility Management - Update on Facility & Parks projects. Receive & place on file.
 26. Facility Management - Budget Status Financial Report for March 31, 2008. Receive & place on file.
 27. County Clerk Budget Status Financial Reports for February & March 2008. Receive & place on file.
 28. Audit of bills. Approve.

A motion was made by Supervisor De Wane and seconded by Supervisor Fleck **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

No. 9b -- REPORT OF EDUCATION AND RECREATION COMMITTEE OF MAY 1, 2008

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on May 1, 2008 and recommends the following:

1. Election of Chair. John Vander Leest elected as Chair.
2. Election of Vice Chair. Kathy Johnson elected as Vice Chair.
3. Set date and time for regular meetings. 1st Thursday of month at 5:30 p.m. Meeting to be at 6:00 p.m. if scheduled out of Room 200, Northern Building.
4. Review minutes of:
 - a) Museum governing Board (3/24/08).
 - b) Library Board (3/12/08).
 - c) Park & Recreation Plan Citizens Advisory Cmte (4/2/08 & 4/16/08).Receive & place on file items a-c.
5. Communication from Supervisor Kathy Johnson re: Some sort of recognition for Harold Kaye at the Southwest Branch Library. (Referred from April 15, 2008 County Board.) Refer to Library Board to develop suggestions to recognize Harold Kaye for his work at the Southwest Branch Library.
6. Communication from Supervisor John Vander Leest re: Request to review the open meeting space at the Kress Family Branch Library. (Referred from April 15, 2008 County Board.) Refer to Library Board to develop a cost to finish the open space at the Kress Branch as a “vanilla box,” to identify realtors and preferred renters, and to report back at next meeting.
7. Arena/Expo Centre - Event Attendance (March 2008). Receive & place on file.
8. Museum - Attendance & Admissions (March 2008). Hold until next meeting.
9. Museum - Budget Status Financial Report March 31, 2008. Hold until next meeting.
10. Library - Budget Status Financial Report for March 31, 2008. Receive & place on file.
11. Library - Report. Receive & place on file.
12. Golf Course - Report (April 15, 2008). Receive & place on file.
13. Golf Course - Superintendent’s report. Receive & place on file.
14. NEW Zoo - Budget Status Financial Report for March 31, 2008. Receive & place on file.
15. NEW Zoo - Monthly Activity Report.
 - a) Animal Collection Report.
 - b) Admissions Revenue Attendance 2008 Report.Receive & place on file.
16. NEW Zoo - Education & Volunteer Programs Report (February 2008). Receive & place on file.
17. NEW Zoo - Gift Shop Concessions revenue 2008 Report. Receive & place on file.
18. Parks - Communication from Supervisor Norbert Dantinne re: Request permission to store a boat at Bay Shore Park by the New Franken Fire Department to be used for Bay rescues.

(Referred from April 15, 2008 County Board.) Refer to Parks Department with a request to contact the New Franken Fire Department to work out details.

19. Parks - Update on Facility & Parks projects. Receive & place on file.
20. Parks - Budget Status Financial Report for March 2008. Receive & place on file.
21. Parks – Director’s Report for March 2008. Receive & place on file.
22. Parks - Approval of Addendum to Oneida Walk of Legends Memorandum of Understanding (December 6, 2006) to accept three more monuments at the Arena/Old Packer Hall of Fame property. Refer to Facilities staff with a request to meet with Ashwaubenon and Aspire to discuss plans for the Oneida/Lombardi Street area.
23. Audit of bills. Approve audit of bills.

A motion was made by Supervisor Warpinski and seconded by Supervisor Vander Leest **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 5/29/2008

No. 9c -- REPORT OF EXECUTIVE COMMITTEE OF MAY 12, 2008

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on May 12, 2008 and recommends the following motions:

1. Election of Vice Chair. Guy Zima elected as Vice Chair of Executive Committee.
2. Set time and date for regular meetings. Monday of week preceding County Board meeting, 6:00 p.m. unless at the discretion of the Chair.
3. Review minutes of:
 - a) Legislative Sub Committee (4/21/08). Receive & place on file.
4. Communication from Supervisor Julie Knier re: Request Executive Committee establish guidelines to allow the chairman to appoint a youth as a non-voting member to each county board committee. (Referred from April County Board.) Receive & place on file and request the petitioner review other options there might be that involve youth in local government.
5. Communication from Supervisor Julie Knier re: Request Brown County Board of Supervisors research and establish a policy relating to county-wide standards for waiving of fees for the usage of facilities and property owned or maintained by Brown County. (Referred from April County Board.) Refer to Corporation Counsel for final preparation and review.
6. Report - County Executive.
 - a) Budget Status Financial Report for March 31, 2008. Receive & place on file.
7. Internal Auditor Report.
 - a) Budget Status Financial Report for March 31, 2008. Approve.
 - b) Reports re: Brown County Mental Health Center Accounts Receivable- Analysis performed by Internal Auditor and Budget & Project Analyst. Refer to County Executive’s office to work with Internal Auditor to come up with what they think would be the best policies and procedures and bring them back to committee with their reasons why.
 - c) Other. No action.

8. Remodeling of County Board Office. (Referred from December 10, 2007 Executive Cmte.) Receive & place on file.
9. Appointments to Legislative Sub Committee for 2008-2010 Session. Hold for one month.
10. Setting pay levels for elected officials for four-year term beginning January 1, 2009 through December 31, 2012. Add \$1,200 per year. Ayes: 5 (Lund, Erickson, Vander Leest, Evans, Zima); Nays: 2 (Scray, Nicholson). Motion Carried.
11. Memorandum of Understanding (Casual Days) to modify agreement between Brown County and the Sheriff's Supervisory Employees Association contract. Approve.
12. Resolution re: Opposition to H.R. 2421, The Clean Water Restoration Act of 2007. (Referred from Legislative Sub Committee.) Committee approved. See Resolutions, Ordinances May County Board.
13. Resolution re: Change in Table of Organization Department of Administration (Addition of Limited Term Employees). (Referred from Administration Committee.) Refer to Corporation Counsel to work out the contract project. See Resolutions, Ordinances May County Board.
14. Resolution re: Authority to Execute a 2007-2008 Labor Agreement with the Brown County Medical Examiner Investigators, Local 1901, AFSCME, AFL-CIO. Committee approved. See Resolutions, Ordinances May County Board.
15. Resolution re: Authority to Execute a 2009 Labor Agreement with the Brown County Highway Department Employees. Committee approved. See Resolutions, Ordinances May County Board.
16. Resolution re: Authority to Execute a 2009 Labor Agreement with the Brown County Mental Health Center Employees, Local 1901. Committee approved. See Resolutions, Ordinances May County Board.
17. Resolution re: Authority to Execute a 2009 Labor Agreement with the Brown County Courthouse Employees. Committee approved. See Resolutions, Ordinances May County Board.
18. **Closed Session:** Pursuant to 19.85 (1)(e) considering the deliberation and/or negotiation of the purchasing of public properties, the investing of public funds, or conducting other specified public business, since competitive or bargaining reasons require a closed session – Discussion of contract for services between Oneida Tribe of Indians of Wisconsin and Brown County. (See Motion Below.)
19. **Closed Session:** For the purpose of deliberating whenever competitive or bargaining reasons require a closed session pursuant to Wisconsin State Statute 19.85 (1) (e). In the alternative, the Executive Committee is meeting for the purpose of collective bargaining and is not subject to the Wisconsin open meetings law pursuant to 19.82 (1) of the Wisconsin State Statutes, and also for the purpose of conferring with legal counsel for Brown County as to legal advice concerning strategy as to litigation pending pursuant to sec. 19.85 (1)(g) of the Wisconsin State Statutes.

One Motion made for both Closed Sessions:

- a. Enter into Closed Session.
- b. Return to Regular Order of Business.
- c. No action taken.

A motion was made by Supervisor De Wane and seconded by Supervisor Johnson **“to adopt”**.

Supervisor Langan requested Item #10 be taken separately. Voice vote taken on remainder of report. Motion carried unanimously with no abstentions.

Item #10 -- Setting pay levels for elected officials for four-year term beginning January 1, 2009 through December 31, 2012. COMMITTEE ACTION: Add \$1,200 per year. Ayes: 5 (Lund, Erickson, Vander Leest, Evans, Zima); Nays: 2 (Scray, Nicholson). Motion Carried.

A motion was made by Supervisor Johnson and seconded by Supervisor Lund **“to adopt”**.

Supervisor Langan spoke on why he requested this item be taken separately. Following, a motion was made by Supervisor Langan and seconded by Supervisor Clancy **“to bring the 3 elected officials yearly raise back to \$1,900 per year for the 4-year period”**. Vote taken. Roll Call #9c(1):

Ayes: Warpinski, Krueger, Fleck, Clancy, Wetzel, Langan

Nays: De Wane, Nicholson, Theisen, Haefs, Erickson, Brunette, Zima, Evans, Vander Leest, Johnson, Dantinne, La Violette, Andrews, Kaster, Knier, Williams, Scray, Hoeft, Lund, Fewell

Total Ayes: 6 Total Nays: 20

Motion defeated.

Discussion followed. A motion was made by Supervisor Nicholson and seconded by Supervisor Kaster **“to amend to decrease the three constitutional officers from \$1,900 to \$0.”** After further discussion the vote was taken on Supervisor Nicholson’s motion. Vote taken. Roll Call #9c(2):

Ayes: Nicholson, Brunette, Vander Leest, Kaster, Knier, Williams, Scray

Nays: Warpinski, De Wane, Theisen, Krueger, Haefs, Erickson, Zima, Evans, Johnson, Dantinne, La Violette, Andrews, Fleck, Clancy, Wetzel, Langan, Hoeft, Lund, Fewell

Total Ayes: 7 Total Nays: 19

Motion defeated.

After discussion, a vote was taken on the original motion **“to adopt the recommendation of the Executive Committee of a \$1,200 increase for 3 Elected Officials for January 1, 2009 thru December 31, 2012”**. Vote taken. Roll Call #9c(3):

Ayes: De Wane, Theisen, Krueger, Haefs, Erickson, Zima, Evans, Vander Leest, Johnson, Dantinne, La Violette, Andrews, Knier, Fleck, Clancy, Wetzel, Hoeft, Lund, Fewell

Nays: Warpinski, Nicholson, Brunette, Kaster, Williams, Langan, Scray

Total Ayes: 19 Total Nays: 7

Motion carried.

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

No. 9c(i) CLOSED SESSION: PURSUANT TO WISCONSIN STATE STATUTE 19.85 (1) (E) FOR DISCUSSION OF A PROPOSED SERVICE AGREEMENT BETWEEN BROWN COUNTY AND THE ONEIDA TRIBE OF INDIANS

Supervisor Lund read the Wisconsin State Statute 19.85(1)(e) pertaining to a closed session. A motion was made by Supervisor Lund and seconded by Supervisor Knier **“to go into closed session for discussion regarding negotiations involving a service agreement between Brown County and the Oneida Tribe of Indians of Wisconsin.”**

At this time Supervisor Hoeft asked to be excused from the closed session. Vote taken to enter into closed session. Roll Call #9ci(1):

Ayes: Warpinski, De Wane, Nicholson, Theisen, Krueger, Haefs, Erickson, Brunette, Zima, Evans, Vander Leest, Johnson, Dantinne, La Violette, Andrews, Kaster, Knier, Williams, Fleck, Clancy, Wetzel, Langan, Scray, Lund, Fewell

Abstain: Hoeft

Total Ayes: 25 Total Abstain: 1

Motion passed and the County Board entered into closed session at 9:04 p.m. At this time Supervisor

Fewell was excused.

Following discussion in closed session, a motion was made by Supervisor De Wane and seconded by Supervisor Warpinski **“to return to open session at 11:24 p.m.”** Voice vote taken. Motion carried unanimously with no abstentions. Ayes: 24 Excused: 2 (Supervisors Hoeft and Fewell)

In open session, Chairman Zima explained the County Board reviewed the negotiations involving the service agreement between Brown County and the Oneida Tribe of Indians of Wisconsin in closed session. He further explained the County Board will seek outside legal advice on the Supervisors' questions regarding proposed provisions and the desirability of modifying or adding to the proposal. He stated that the proposed draft service agreement analyzed by the County Board in closed session will be released to the public on Friday, May 23, 2008. Chairman Zima also announced that a majority of the County Board members signed a petition for a special County Board meeting. Chairman Zima said this meeting will take place on Wednesday, May 28, 2008, at 5:30 p.m., in the Council Chambers. This special meeting is being called for public input and additional discussion regarding the proposed service agreement between Brown County and Oneida Tribe of Indians of Wisconsin.

Supervisor Hoeft returned to her seat at this time.

No. 9d -- REPORT OF HUMAN SERVICES COMMITTEE OF MAY 7, 2008

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The HUMAN SERVICES COMMITTEE met in regular session on May 7, 2008, and recommends the following motions:

1. Election of Chair. Pat Evans elected as Chair of Human Services Committee.
2. Election of Vice Chair. Steve Fewell elected as Vice Chair of Human Services Committee.
3. Set date and time for regular meetings. 4th Wednesday of month at 6 p.m.
4. Review minutes of:
 - a) Board of Health (11/26/07).
 - b) Children with Disabilities Education Board (3/12/08 & 4/9/08).
 - c) Aging & Disability Resource Center (3/27/08).
 - d) Community Options Program Planning Cmte (2/25/08).
 - e) Community Options Program Appeals Cmte (2/25/08).
 - f) Homeless Issues & Affordable Housing Sub Cmte No Quorum (4/22/08).Receive & place on file items a-f.
5. Communication from Supervisor Mary Scray re: Have the County look to contract with a professional fund raiser to raise money/donations for the furniture at the new Mental Health Care Center. (Held from previous meeting.) Receive & place on file.
6. Human Services Dept. - Grant Application Approval – Alcohol and other Drug Abuse (AOA) QI Grant. Approve.
7. Human Services Dept. - Request for Proposal (RFP) Staff Response and Crisis Home Services. Approve RFP.
8. Human Services Dept. - Mental Health Center Statistics Update (March). Receive & place on file.
9. Human Services Dept. - Bellin Psychiatric Monthly Report (March). Receive & place on file.
10. Human Services Dept. - Approval for new Non-Continuous Vendor. Approve.

11. Human Services Dept. - Approval of New Contract Vendors. Approve.
12. Human Services Dept. - Monthly Contract Update. Receive & place on file.
13. Human Services Dept. - Budget Status Financial Report for Community Programs (December 2007). Receive & place on file.
14. Human Services Dept. - Budget Status Financial Report for Mental Health Center (December 2007 – March 2008). Receive & place on file.
15. Human Services Dept. - WCHSA Meeting Minutes (March). Receive & place on file.
16. Human Services Dept. - Director's report. Receive & place on file.
17. Veterans Department, Health Department - Budget Status Financial Report for March 2008; Aging & Disability Resource Center of Brown County – Revenue & Expense Report for March 31, 2008. Receive & place on file.
18. Audit of bills. Approve.

A motion was made by Supervisor Evans and seconded by Supervisor La Violette “**to adopt**”. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

No. 9e -- REPORT OF PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE OF APRIL 28, 2008

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE met in regular session on April 28, 2008, and recommends the following motions.

1. Election of Chair. Bernie Erickson elected as Chair.
2. Election of Vice Chair. Mike Fleck elected as Vice Chair.
3. Set date and time for regular meetings. 4th Monday of month following Land Conservation Sub Committee meeting.
4. Review minutes of:
 - a) Planning Commission Board of Directors (2/6/08).
 - b) Planning Commission Board of Directors Elderly & Disabled Transportation Subcmte (4/8/08).Receive & place on file items a-b.
5. Update and quarterly report on Advance by Barb Fleisner, Vice President, Economic Development of Advance. Receive & place on file.
6. Airport - Budget Status Financial Report for March 31, 2008. Receive & place on file.
7. Airport - Director's report. Receive & place on file.
8. Property Listing - Annual report and summary of current activities. Receive & place on file.
9. Property Listing - Farm Technology Days Update. Receive & place on file.
10. Property Listing - Proposed revision to Chapter 21. (Require Treasurer's certificates on condominiums and certified survey maps. Approve revisions to Chapter 21 and forward to Corporation Counsel.
11. Property Listing - Budget Status Financial Report for February & March, 2008. Receive & place on file.
12. Port & Solid Waste - Renard Island Closure Plan Update. (Referred back to committee

from April 15, 2008 County Board.) (Standing item.) Receive & place on file.

13. Port & Solid Waste - Power Purchase Agreement, Wisconsin Public Service and Brown County for Landfill Gas to Energy Project – Request for Approval. (Held from previous meeting.) Approve.
14. Port & Solid Waste - Budget Status Financial Report for March 31, 2008. Receive & place on file.
15. Port & Solid Waste - Director's report. Receive & place on file.
16. Planning Commission - No monthly update of East Side Property. (Standing item.) No action.
17. Planning Commission - Budget Status Financial Report for February & March, 2008. Receive & place on file.
18. Highway - Update of overhead sign on Lombardi & Oneida Streets. (Requested by Supervisor Erickson). Receive & place on file.
19. Communication from Supervisor Norbert Dantinne re: Have Brown County Highway look into more cost effective ways to maintain our deteriorating highway system and evaluate late year's test of chip sealing. (Referred from April 15, 2008 County Board.) Receive & place on file.
20. Highway - Follow-up for request study to be done on drainage on Lineville Road. (Requested by Supervisor Lund and held for 60 days for a report.) Forward to Department of Transportation for future planning options.
21. Highway – Budget to Actual State Billing (March 2008) Receive & place on file.
22. Highway - Commissioner's Report. Receive & place on file.
23. UW- Extension - Budget Status Financial Report for February & March, 2008. Receive & place on file.
24. UW- Extension - Director's report. No action.
25. Zoning – FEMA update. No action.
26. Zoning – Director's report. Receive & place on file.
27. Zoning - Budget Status Financial Report for February & March, 2008. Receive & place on file.
28. Register of Deeds - Budget Status Financial reports for February & March 2008. Receive & place on file.
29. Audit of bills. Audit the bills.
30. Next meeting – Tuesday, May 27, 1008 (changed due to Memorial Day).

A motion was made by Supervisor Warpinski and seconded by Supervisor Williams **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive

Date: 5/29/2008

No. 9e(i) -- REPORT OF LAND CONSERVATION SUBCOMMITTEE OF APRIL 28, 2008

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The LAND CONSERVATION SUB COMMITTEE met in regular session on April 28, 2008, and recommends the following motions.

1. Election of Chair. Norbert Dantinne elected as chair.
2. Election of Vice Chair. Dave Kaster elected as vice-chair.
3. Jim Kroll animal waste spill investigation report. Receive & place on file.
4. Lake Michigan Land & Water Conservation Association Legislative agenda recommendations

and approval. Approve Sections A through G (omitting F) of the Legislative Agenda and authorize Bill Hafs to represent Brown County at the May 16, 2008 meeting of the Lake Michigan Area Land & Water Conservation Association.

5. Budget Status Financial Report for March 31, 2008. Receive & place on file.
6. Director's report. No action.
7. Set meeting date as 4th Monday of month, 7 p.m. from April through October, with rest of year at 6 p.m.

A motion was made by Supervisor De Wane and seconded by Supervisor Andrews **"to adopt"**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

No. 9f -- REPORT OF PUBLIC SAFETY COMMITTEE OF MAY 7, 2008

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The PUBLIC SAFETY COMMITTEE met in regular session on May 7, 2008, and recommends the following motions:

1. Election of Chair. Andy Nicholson elected as Chair of Public Safety Committee. Ayes: 3 (Williams, De Wane, Nicholson); Nays: 2 (Andrews, Clancy). Motion Carried.
2. Election of Vice Chair. Tom De Wane elected as Vice Chair of Public Committee. Unanimous.
3. Set date and time for regular meetings.
 - a) Hold until end of meeting.
 - b) Table plans until further discussion by committee.
4. Review minutes and reports of:
 - a) EMS Council (3/19/08).
 - b) Circuit Courts Security Committee Quarterly Report (4/3/08).Receive & place on file items a-b.
5. Volunteers in Probation – Monthly Statistics (March 2008) Receive & place on file.
6. Volunteers in Probation –Quarterly Statistics (January, February, March 2008). Receive & place on file.
7. Teen Court - Stats through March 2008. Receive & place on file.
8. Ordinance re: To Amend Sec. 30.01 of the Brown County Code entitled "Ordinance Enforcement by Citation." (Referred from Administration Committee.) Hold for one month. See Resolutions, Ordinances May County Board.
9. District Attorney - Introduction of new Drug Prosecutor, Beau Liegeois. Receive & place on file.
10. District Attorney - Budget Status Financial Report for March 31, 2008. Receive & place on file.
11. Public Safety Communications - Budget Status Financial Report for March 31, 2008. Receive & place on file.
12. Public Safety Communications - Approval of RFP for professional services. (To be distributed at meeting.) Approve.
13. Public Safety Communications - Director's report. Receive & place on file.
14. Sheriff - Communication from Supervisor Norbert Dantinne re: Request permission to store a boat at Bay Shore Park by the New Franken Fire Department to be used for Bay Rescues.

(Referred from April County Board. Also referred to Education & Recreation Committee on May 1, 2008.) Receive & place on file.

15. Sheriff - Communication from Supervisor Norbert Dantine re: Look into why it took 5 ½ hours for a patrol officer to respond to a call from the Scott Town Chairman. (Referred from April County Board.) Receive & place on file and advise Mr. Van Lanen (Town of Scott Chairman) to participate at budget time.
16. Sheriff - Communication from Supervisor Norbert Dantine re: Look into the reason our police officers have no radio contact in various areas of Brown County, specifically Dykesville, and why they have to use their personal mobile phones to make calls if radio doesn't work. (Referred from April County Board.) Receive & place on file.
17. Sheriff - Resolution re: A Limitation of Civil Damages for Injuries or death to Domestic Animals by Officers Acting in the Line of Duty. (Referred from Executive Committee of April 7, 2008.) Committee approved. See Resolutions, Ordinances May County Board.
18. Sheriff - Request for Budget Transfer (#08-27): Increase in Expenditures with Offsetting Increase in Revenue: TraCS grant program will conclude and were not included in 2008 budget so must be added (\$113,075). Approve.
19. Sheriff - Key Factor Report 2008 with Jail Average Daily Population by month and overtime by expenditures by division/session 2008 – for May 2008 meeting. Receive & place on file.
20. Sheriff - Budget Status Financial Report for March 31, 2008. Receive & place on file.
21. Sheriff's report. Receive & place on file.
22. Sheriff - Request for Budget Transfer (#08-30): Increase in Expenditures with Offsetting Increase in Revenue: Corridor Speed/Aggressive Driving Enforcement patrol grant through Wis. DOT for 2008 (\$25,000). Approve.
23. Circuit Courts, Clerk of Courts, Medical Examiner - Budget Status Financial Report for March 2008. Receive & place on file.
24. Audit of bills. Pay the bills.

A motion was made by Supervisor De Wane and seconded by Supervisor Williams **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: /s\ Tom Hinz, County Executive Date: 5/29/2008

No. 10 -- RESOLUTIONS, ORDINANCES:

A motion was made by Supervisor Warpinski and seconded by Supervisor Nicholson **“to adopt Resolutions #10a, #10b and #10c with one vote”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 10a -- RESOLUTION REGARDING: DISALLOWANCE OF CLAIM (JAMES VANDER HEYDEN)

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a claim was filed on February 15, 2008 in the Brown County Clerk's office; and
WHEREAS, said Claim alleges that James Vanderheyden sustained damages, and alleges that said damages were caused by Brown County and officials and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel's office, said office

recommends that the Claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the Claim submitted by James Vanderheyden, be and the same is hereby denied, and no action on this Claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant, James Vanderheyden, as a notice of disallowance.

Respectfully submitted,
ADMINISTRATION COMMITTEE

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

No. 10b -- RESOLUTION REGARDING: DISALLOWANCE OF CLAIM (CAROL L. DE BAUCHE)

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a claim was filed on January 7, 2008 in the Brown County Clerk's office; and

WHEREAS, said Claim alleges that Carol L. DeBauche sustained damages, and alleges that said damages were caused by Brown County and officials and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel's office, said office recommends that the Claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the Claim submitted by Carol L. DeBauche, be and the same is hereby denied, and no action on this Claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant, Carol DeBauche, as a notice of disallowance.

Respectfully submitted,
ADMINISTRATION COMMITTEE

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

No. 10c -- RESOLUTION REGARDING: DISALLOWANCE OF CLAIM (PROGRESSIVE CLASSIC INSURANCE CO. ON BEHALF OF TAMARA CONARD)

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, a Claim was filed on April 3, 2008, in the Brown County Clerk's office; and

WHEREAS, said Claim alleges that Progressive Classic Insurance Co. and Tamara Conard sustained damages, and alleges that said damages were caused by Brown County and employees of Brown County; and

WHEREAS, after a review of this matter by the Corporation Counsel's office, said office recommends that the Claim be denied.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the Claim submitted by Progressive Classic Insurance Co. on behalf of Tamara Conard be and the same is hereby denied, and no action on this Claim may be brought against Brown County or any of its officers, officials, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimants, Progressive Classic Insurance Co. and Tamara Conard as a notice of disallowance.

Respectfully submitted,
ADMINISTRATION COMMITTEE

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

No. 10d -- RESOLUTION REGARDING: CHANGE IN TABLE OF ORGANIZATION DEPARTMENT OF ADMINISTRATION (ADDITION OF LIMITED TERM EMPLOYEES)

- A motion was made by Supervisor Lund and seconded by Supervisor De Wane “**to refer back to Executive Committee**”. Voice vote taken. Motion carried unanimously with no abstentions.

No. 10e -- ORDINANCE REGARDING: TO AMEND SECTION 30.02 OF BROWN COUNTY CODE ENTITLED “ORDINANCE ENFORCEMENT BY CITATION”

- A motion was made by Supervisor Krueger and seconded by Supervisor De Wane “**to hold for one month**”. Voice vote taken. Motion carried unanimously with no abstentions.

A motion was made by Supervisor Warpinski and seconded by Supervisor La Violette “**to adopt Resolutions #10f, #10g, #10h and #10i with one vote**”. Voice vote taken. Motion carried unanimously with no abstentions.

No. 10f -- RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2007-2008 LABOR AGREEMENT WITH THE BROWN COUNTY MEDICAL EXAMINER INVESTIGATORS, LOCAL 1901, AFSCME, AFL-CIO

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

BE IT RESOLVED by the Brown County Board of Supervisors, that the County Executive and

County Clerk be and are hereby authorized to execute a two (2) year labor agreement on behalf of Brown County with the Brown County Medical Examiner Investigators, Local 1901, AFSCME, AFL-CIO for the years 2007-2008 effective January 1, 2007, which agreement shall provide the following major changes from the 2006 labor agreement.

1. ARTICLE 7. WAGES,

Revise to reflect:

1.5% increase effective 12/31/06

1.5% increase effective 07/01/07

1.5% increase effective 12/30/07

1.5% increase effective 06/29/08

Add the following:

Continuing Education/ Professional Conferences:

Employees attending approved continuing education or professional conferences will be compensated at the equivalent hourly rate of pay for call time, for the hours attended during the business hours of the class. Travel time is not compensated.

2. ARTICLE 11. MILEAGE

Adjust the case rate by \$.50 to reflect the increased cost of travel effective 01/01/08.

3. NEW ARTICLE – CLOTHING ALLOWANCE

Establish a clothing allowance with a fundamental rate of \$100.00 annually. Given the nature of the job, an additional \$100.00 can be paid in the same year, as long as evidence is provided that replacement clothing is warranted.

4. ARTICLE 17. DURATION

Two year agreement 2007-2008

5. MEMORANDUM OF UNDERSTANDING

Home Hospice Deaths – Resign

BE IT FURTHER RESOLVED that the funds to cover the costs resulting from the adoption of this resolution shall be made available from funds budgeted for this purpose.

Respectfully submitted,
EXECUTIVE COMMITTEE

Approved by: _____ \s\ Tom Hinz, County Executive

Date: 5/29/2008

No. 10g -- RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2009 LABOR AGREEMENT WITH THE BROWN COUNTY HIGHWAY DEPARTMENT EMPLOYEES

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE

BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

BE IT RESOLVED by the Brown County Board of Supervisors, that the County Executive and County Clerk be and are hereby authorized to executed a one (1) year labor agreement on behalf of Brown County with the Brown County Highway Department Employees for the year 2009 effective January 1, 2009, which agreement shall provide the following major changes from the 2007-2008 labor agreement.

All items, with the exception of wages, or except as specifically provided otherwise will be prospective effective the date of signing of the agreement.

BE IT FURTHER RESOLVED that the funds to cover the costs resulting from the adoption of this resolution shall be made available from funds budgeted for this purpose.

1. Change all reference of Local 75 to Local 662.
2. ARTICLE 1. RECOGNITION – DUES CHECK OFF – FAIR SHARE

Add the following language beginning at Line 43.

The Employer agrees to deduct from the paycheck of all employees covered by this Agreement voluntary contributions to DRIVE (Democratic Republican Independent Voter Education). DRIVE shall notify the Employer of the amounts designated by each contributing employee that are to be deducted from the employee's paycheck on a bi-weekly basis for all weeks worked. The phrase "weeks worked" excludes any week other than week in which the employee earned a wage. The Employer shall transmit to DRIVE National Headquarters monthly, the total amount deducted along with the name of each employee on whose behalf a deduction is made, the employee's clock number and the amount deducted from the employee's paycheck.

3. ARTICLE 8. CORRECTIVE ACTION – GRIEVANCE PROCEDURE

Add the following language beginning at Line 186.

Disciplinary letters for a specific incident shall remain in effect for nine (9) months. Accident history will be considered for progressive discipline purposes.

4. ARTICLE 11. INSURANCE

Delete lines 250-251.

~~Based on the 2007 HSP enrollments should the number fall below 10% of total Brown County Highway employees, the HSP will discontinue in 2008.~~

Modify lines 261-266 as follows:

There shall be no guarantee that the provider networks will remain the same or will be continued during or after the term of this agreement. Notice will be required prior to discontinuance of any change to the provider networks in sufficient time to allow employees to opt into another plan at the time of the change or annually during the ~~open-enrollment~~ annual option period before the change is implemented. If the County continues to offer this plan

after the expiration of this contract, the County agrees that coverage will be negotiable. Individual providers will not be guaranteed.

Modify lines 271-272 as follows:

Maximum allowable fee ~~as used in the PPO~~ and Usual and Customary fee ~~as used in the Basic and HSP plans~~ are intended to be synonymous terms

5. ARTICLE 12. PENSION

The WRS contribution will be increased commensurate with the wage increases.

6. ARTICLE 19. BEREAVEMENT LEAVE

Modify lines 517-520 as follows:

Three (3) days leave shall be granted in the event of death of sibling (brother or sister), mother/father-in-law or grandchild.

One (1) day leave shall be granted in the event of death of aunt/uncle of the employee or spouse, grandparent, ~~mother/father-in-law~~, spouse's grandparents, sister/brother-in-law, son/daughter-in-law.

7. ARTICLE 22. HOURS OF WORK

Modify lines 758 as follows:

1. Time Element: The ~~last~~ second Monday in April through the last Friday in September.

8. ARTICLE 23. SENIORITY

Modify lines 822-823 as follows:

Vacancies created by medical leaves of absence that extend beyond ~~180~~ 60 days will be posted as temporary vacancies.

Modify lines 906-908 as follows:

No employee shall be displaced on a specific project if such displacement is for the purpose of enforcing seniority, except in snow emergency situations, culvert steaming operations, and the Crafco rubber machine and then only the bid person shall be allowed to displace someone.

9. ARTICLE 29. ALCOHOL SUBSTANCE ABUSE POLICY AND PROCEDURES

Modify lines 1021 and 1025 as follows:

Effective April 1, 1992, all employees, with the exception of engineer technicians, are required to have a valid Class "A", with tanker endorsements, Wisconsin Commercial Drivers License. Fuel man and shop employees will be required to have a hazardous material hauling endorsement, Wisconsin Commercial Drivers License. If no one selects to carry the

endorsement, inverse seniority will be used, where employees are qualified. The county agrees to pay the cost of the hazardous material endorsement for the fuel man and two additional highway employees engaged in the occupation. Also, a valid Class "A" license will be a pre-employment qualification for all "new" employees as of April 1, 1992.

10. ARTICLE 30. JOB ANALYSIS PROCEDURE

Reclassification of two Engineering Technician positions and title change to Engineering Technician II. Per the language in the contract, the job analysis determination and recommendation is retroactive to the date of January 1, 2006.

11. ARTICLE 31. DURATION OF AGREEMENT

- One year agreement.

12. SCHEDULE "A"

- Revise to reflect:

1.5% increase effective December 28, 2008

1.5% increase effective June 28, 2009

- Modify lines 1156-1158 as follows:

All employees in the mechanic category and blacksmith category required to furnish tools shall be reimbursed up to the total of ~~three hundred sixty dollars (\$360.00) in 2007 and three hundred seventy dollars (\$370.00) in 2008~~ three hundred eighty dollars (\$380.00) in 2009.

Delete lines 1160-1161:

~~For 2007 the position of Chief Mechanic in Classification A1 of the wage schedule will be \$0.75/hour higher than the 1st Mechanic in Classification D of the wage schedule.~~

Delete lines 1188-1189:

~~Truck drivers assigned to snow removal operations operating patrol trucks without wing shall receive a winter differential of an additional five cents (\$.05 per hour from December 1 to April 1.)~~

13. SCHEDULE "B"

- Change title from Engineering Technician to Engineering Technician II and revise wage schedule to reflect additional \$1.00/hour increase.

14. MEMORANDUMS OF UNDERSTANDING

CDL Policy – Resign

Direct Deposit – Incorporate into contract

Summer Work Week – Incorporate into contract

Respectfully submitted,
EXECUTIVE COMMITTEE

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

No. 10h -- RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2009 LABOR AGREEMENT WITH THE BROWN COUNTY MENTAL HEALTH CENTER EMPLOYEES, LOCAL 1901

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

BE IT RESOLVED by the Brown County Board of Supervisors, that the County Executive and County Clerk be and are hereby authorized to execute a one (1) year labor agreement on behalf of Brown County with the Brown County Mental Health Center Employees, Local 1901, for the year 2009 effective January 1, 2009, which agreement shall provide the following major changes from the 2007-2008 labor agreement.

1. ARTICLE 4. WAGES

Amend the portion of Article 4 dealing with the retirement system to read as follows:

C. WISCONSIN RETIREMENT SYSTEM: The WRS contribution will be increased commensurate with the wage increases.

2. ARTICLE 29. DURATION

This Agreement shall become effective as of the calendar year starting January 1, ~~2007~~ 2009 and remain in force and effect to and including the calendar year ending December 31, ~~2008~~ 2009 and shall renew itself for additional one (1) year periods until, and unless, either party prior to September 1st of each year notifies the other party in writing that it desires to alter or amend the same at the end of the contract. Negotiations shall commence within thirty (30) days of said notice.

3. APPENDIX A

1.5% wage increase effective December 28, 2008

1.5% wage increase effective June 28, 2009

Licensed Practical Nurses receive an additional \$0.25/hour effective December 28, 2008

4. LETTERS OF AGREEMENT:

Resign the following:

Pull of Local 1901 Staff

Clarify Use of Seniority for Bargaining Members

Trading of Overtime

Trading of Assigned Unit

Partial Shifts

Cancellation of Overtime Shifts

Retiree Casual Call

5. MEMORANDUMS OF UNDERSTANDING:

Resign the following:

Job Analysis Procedure
 Work Day and Work Week
 Educational Assistance – COTA's
 Educational Assistance – LPN's
 On call Employees
 Float Nursing Assistant
 Float Licensed Practical Nurse
 Enrollment Periods
 Personal Holidays/Vacation
 Increase in Float Nursing Assistants and LPN's
 Certified Nursing Assistant Educational Assistance
 On-Call Probationary Period for Purposes of Casual days
 Part-time Health Insurance Annual Adjustment
 Parking Differential
 Long-Term Care
 Meal Reimbursement

6. SIDE LETTER

Reduction in Work Force – NEW

Respectfully

submitted,

EXECUTIVE COMMITTEE

Approved by: _____ \s\ Tom Hinz, County Executive _____ Date: 5/29/2008

No. 10i -- RESOLUTION REGARDING: AUTHORITY TO EXECUTE A 2009 LABOR AGREEMENT WITH THE BROWN COUNTY COURTHOUSE EMPLOYEES

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
 BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

BE IT RESOLVED by the Brown County Board of Supervisors, that the County Executive and County Clerk be and are hereby authorized to executed a one (1) year labor agreement on behalf of Brown County with the Brown County Courthouse Employees for the year 2009 effective January 1, 2009, which agreement shall provide the following major changes from the 2007-2008 labor agreement.

All items, with the exception of wages, or except as specifically provided otherwise will be prospective effective the date of signing of the agreement.

BE IT FURTHER RESOLVED that the funds to cover the costs resulting from the adoption of this resolution shall be made available from funds budgeted for this purpose.

1. Change all reference of Local 75 to Local 662.

2. ARTICLE 1. RECOGNITION – DUES CHECK OFF – FAIR SHARE

-

Add the following language beginning at Line 44:

The Employer agrees to deduct from the paycheck of all employees covered by this Agreement voluntary contributions to DRIVE (Democratic Republican Independent Voter Education). DRIVE shall notify the Employer of the amounts designated by each contributing employee that are to be deducted from the employee's paycheck on a bi-weekly basis for all weeks worked. The phrase "weeks worked" excludes any week other than week in which the employee earned a wage. The Employer shall transmit to DRIVE National Headquarters monthly, the total amount deducted along with the name of each employee on whose behalf a deduction is made, the employee's clock number and the amount deducted from the employee's paycheck.

3. ARTICLE 8. CORRECTIVE ACTION

Add the following language beginning at Line 174:

Disciplinary letters for a specific incident shall remain in effect for nine (9) months.

4. ARTICLE 12. INSURANCE

Delete language referencing HSP Plan.

Modify lines 321-326 as follows:

There shall be no guarantee that the provider networks will remain the same or will be continued during or after the term of this agreement. Notice will be required prior to discontinuance of any change to the provider networks in sufficient time to allow employees to opt into another plan at the time of the change or annually during the ~~open-enrollment~~ annual option period before the change is implemented. If the County continues to offer this plan after the expiration of this contract, the County agrees that coverage will be negotiable. Individual providers will not be guaranteed.

Modify lines 328-329 as follows:

Maximum allowable fee ~~as used in the PPO~~ and Usual and Customary fee ~~as used in the Basic and HSP plans~~ are intended to be synonymous terms

5. ARTICLE 13. WISCONSIN RETIREMENT SYSTEM

The WRS contribution will be increased commensurate with the wage increases.

6. ARTICLE 20. FUNERAL LEAVE

-

Modify lines 579-582 as follows:

Three (3) days leave shall be granted in the event of death of sibling (brother or sister), mother/father-in-law or grandchild.

One (1) day leave shall be granted in the event of death of aunt/uncle of the employee or spouse, grandparent, ~~mother/father-in-law~~, spouse's grandparents, sister/brother-in-law, son/daughter-in-law.

7. ARTICLE 25. SENIORITY

Add the following language beginning at line 847:

The ability to speak a foreign language will not supersede the rights of seniority, as the sole criteria of maintaining the position.

8. ARTICLE 30. UNIFORM ALLOWANCE

Modify lines 911-919 as follows:

Fulltime and part-time employees shall receive a uniform allowance account annually for the positions listed below and all employees will be required to turn in receipts, unless direct bill by approved vendor is used for the items purchased with their uniform allowance if a uniform is required by the department. ~~Part time employees will receive the uniform allowance on a prorata basis if a uniform is required by the department.~~

New fulltime and part-time employees will receive a complete annual uniform allowance account upon their employment. Should their employment terminate prior to completing their probationary period, they will reimburse the County the entire amount received for their uniform allowance or the County will deduct the entire amount from their final paycheck.

	Effective <u>01/01/07</u>	Effective <u>01/01/08</u>
Maintenance Mechanic, Maintenance Worker II Leadworker, Security Guard, Facility Mechanic, Facility Worker, Garage Mechanic, Facility Technician, Housekeeper I and Housekeeper II	\$215.00	\$230.00
Park Rangers, <u>Zookeeper</u>	\$240.00	\$255.00
Telecommunication Operators	\$265.00	\$280.00

9. ARTICLE 32: JOB ANALYSIS

Reclassification of two Clerk Typist II in the Veterans Office to category D in courthouse Contract and title change to Veterans Benefits Clerk. Per the language in the contract, the job analysis determination and recommendation is retroactive to the date which is date stamped on the written request, June 7, 2007.

Reclassification of Elections Specialist in the County Clerk Office to category X in courthouse Contract. Per the language in the contract, the job analysis determination and recommendation is retroactive to the date which is date stamped on the written request, June 14, 2007.

Reclassification of Legal Assistant I in the District Attorney's Office to category P Legal Assistant II in the Courthouse Contract. Per the language in the contract, the job analysis determination and recommendation is retroactive to the date which is date stamped on the written request, February 1, 2008.

10. ARTICLE 33. DURATION OF AGREEMENT

One year agreement.

11. SCHEDULE "A"

Revise to reflect:

1.5% increase effective December 28, 2008

1.5% increase effective June 28, 2009

Modify lines 1288-1295 as follows:

Shift premium of ~~\$.30~~ \$.40 per hour for second (afternoon) shift and ~~\$.40~~ \$.50 per hour for third (night) shift shall be paid to employees for actual hours worked in classifications where a 24-hour operation is in effect and includes Courthouse Complex custodial and maintenance personnel, and telecommunication operators. Shift premium for the Housekeeper I classification is included in the wage, therefore, these employees are exempt from receiving a 2nd shift differential.

Park Rangers will receive a ~~\$.30~~ \$.40 per hour premium for hours worked between 6:00 p.m. and midnight and ~~\$.40~~ \$.50 per hour premium for hours worked between midnight and 6:00 a.m. Add the following beginning at line 1300.

Employees who are regularly required to use their personal vehicle for County business shall be reimbursed at the IRS rate. Such amount will be subject to verification to monthly expense vouchers.

12. MEMORANDUMS OF UNDERSTANDING

Leadworkers - Facilities – Resign

Keystrokes vs. Words Per Minute – Resign

Direct Deposit – Incorporate into contract

Casual Days – NEW

13. ADDENDUM – TELECOMMUNICATION OPERATORS

Modify the Call In Procedure as follows:

Call In Procedure

The parties recognize that shifts/work schedules may be changed by management in order to meet the public safety demands; therefore, the following outlines the telecommunication call in procedure.

For purposes of call in when open hours occur, supervisors will utilize the established call-

in procedures or will designate who will be responsible to use the call-in procedure.

When Telecommunicators regularly scheduled to work are unable to report as the result of illness, family emergencies, etc., the following steps, in the order listed, shall be utilized to locate a replacement, with the approval of the on-duty Communications Center Supervisor.

Step 1: Part-time Telecommunicators with less than 40 hours worked

Step 2: Offer hours to Telecommunicators or Leads on their group off days by seniority ~~based on assignment (Lead or TCO)~~ If he/she refuses or cannot be contacted, he/she shall forfeit their turn.

Step 3: Offer hours to Telecommunicators or Leads on duty by seniority ~~based on assignment (Lead or TCO)~~.

Step 4: Offer to Leads ~~if TCO have passed on overtime~~ on duty by Lead Seniority.

Step 5: If no Telecommunicator accepts overtime in Step 3, the Telecommunicator/Lead ~~(based on assignment)~~ with the least seniority will be forced to work the hours.

Lead Call-in or Vacancy

Lead vacancy when one Lead is scheduled will be filled by utilizing the following steps:

Step 1: Offer to Leads on their group days off by Lead Seniority. If he/she refuses or cannot be contacted, he/she shall forfeit their turn.

Step 2: Offer to Leads on duty by Lead Seniority.

Step 3: The Lead with the least Lead seniority will be forced to work the hours.

A vacant Lead position when two (2) Leads were scheduled will be filled by the following steps (one Lead is still on the schedule to work).

Step 1: Offer to part-time Telecommunicator with less than 40 hours worked.

Step 2: Offer hours to Telecommunicator/Leads on their group off days by bargaining unit seniority. If he/she refuses or cannot be contacted, he/she shall forfeit their turn.

Step 3: Offer hours to Telecommunicator/Leads on duty by bargaining unit seniority.

Step 4: If no Telecommunicator/Leads accepts overtime in Step 3, then the Telecommunicator/Lead with the least seniority, by bargaining unit seniority, will be forced to work the hours.

Employees will have a minimum of ten (10) hours off between assignments, providing the vacancy can be otherwise filled. Employees can be scheduled with less than ten (10) hours off between assignments if other scheduling procedures have failed to fill the vacancy. Employees will not be forced, but may volunteer to come in to work with less than ten (10) hours between assignments. This is considered a minimum and will not be followed if there are safety or other operational concerns. This limitation will not be applied where it would result in the same

individuals continually working 16-hour shifts. Due to the emergency nature of the dispatch center, deviations may occur.

The call-in procedure for holidays shall be as follows:

1. Ask by seniority amongst group off duty.
2. Ask employees on duty to fill half shift.
3. Force most junior part-time employee except on day off.
4. Force most juniors on duty to fill half shift.

Unforeseen events may at times require a deviation from this procedure in which case the on-duty Communications Center supervisor shall make a determination.

The Union is within its rights to grieve/arbitrate the issue of whether or not any deviation from the call-in procedure was the result of a bona fide unforeseen event.

Respectfully submitted,
EXECUTIVE COMMITTEE

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

No. 10j -- RESOLUTION REGARDING: OPPOSITION TO H.R. 2421, THE CLEAN WATER RESTORATION ACT OF 2007

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, H.R. 2421, the Clean Water Restoration Act of 2007 (CWRA), would amend the federal Water Pollution Control Act as it relates to the jurisdiction of the waters of the United States; and

WHEREAS, Counties play a vital role in meeting the goals of the Clean Water Act to protect the health, welfare and safety of our citizens; and

WHEREAS, the bill removes the term “navigable” from the definition of the Clean Water Act has unintended consequences for state and local governments that are far-reaching and expensive; and

WHEREAS, Brown County is committed to and proud of the work we’ve done to implement the Clean Water Act to clean our waterways and wetlands; and

WHEREAS, the CWRA expands federal regulation to include waters that have not been subject to the Clean Water Act such as roadside ditches, potholes and man-made impoundments and activities affecting those waters; and

WHEREAS, H.R. 2421 could lead to bureaucratic obstacles and increased costs to county governments nationwide while doing very little to enhance environmental protections of waterways and wetlands.

NOW, THEREFORE BE IT RESOLVED, that the Brown County Board of Supervisors oppose H.R. 2421 due to its expansion of federal boundaries to water without including environmental

protections of our waterways and wetlands.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Doyle, Senator Kohl, Senator Feingold, Congressman Kagen, the Wisconsin Counties Association and all other counties in the state.

Respectfully submitted,
LEGISLATIVE SUB-COMMITTEE
EXECUTIVE COMMITTEE

A motion was made by Supervisor Erickson and seconded by Supervisor Fleck **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: /s/ Tom Hinz, County Executive Date: 5/29/2008

No. 10k -- RESOLUTION REGARDING: A LIMITATION OF CIVIL DAMAGES FOR INJURIES OR DEATH TO DOMESTIC ANIMALS BY OFFICERS ACTING IN THE LINE OF DUTY

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, officers of the Brown County Sheriff’s Department are required, from time to time, to injure or destroy domestic animals while protecting persons and property; and

WHEREAS, the Statutes of the State of Wisconsin do not provide for a limitation of civil damages arising from the actions of officers who injure or destroy domestic animals in the line of duty; and

WHEREAS, Brown County has sustained substantial expenses in the defense of litigation seeking civil damages as a result of officers injuring or destroying domestic animals in the line of duty; and

WHEREAS, the establishment of limits on the civil damage award in litigation involving officers injuring or destroying domestic animals in the line of duty is in the best interests of the citizens of Brown County.

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors, that the legislature of the State of Wisconsin should adopt legislation limiting the amount of civil damage awards to the owner of domestic animals injured or destroyed as a result of actions taken by officers while in the line of duty.

BE IT FURTHER RESOLVED, by the Brown County Board of Supervisors that the legislature of the State of Wisconsin should limit the amount of such awards to no more than Fifty dollars (\$50.00) per animal.

BE IT FURTHER RESOLVED, that the County Clerk is directed to forward a copy of this Resolution to Governor Jim Doyle, the legislators representing Brown County, and the Wisconsin Counties Association.

Respectfully submitted
PUBLIC SAFETY COMMITTEE

Fiscal Impact: None.

A motion was made by Supervisor De Wane and seconded by Supervisor Erickson **“to adopt”**. Voice vote taken. Motion carried with Supervisor Evans voting nay.

Approved by: \s\ Tom Hinz, County Executive Date: 5/29/2008

No. 11 -- SUCH OTHER MATTERS AS AUTHORIZED BY LAW. None.

No. 12 -- BILLS OVER \$5,000 FOR PERIOD ENDING MAY 1, 2008

A motion was made by Supervisor Lund and seconded by Supervisor Kaster **“to pay the bills over \$5,000 for period ending May 1, 2008”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 13 -- CLOSING ROLL CALL:

Present: Warpinski, De Wane, Nicholson, Theisen, Krueger, Haefs, Erickson, Brunette, Zima, Evans, Vander Leest, Johnson, Dantine, La Violette, Andrews, Kaster, Knier, Williams, Fleck, Clancy, Wetzel, Langan, Scray, Hoeft, Lund

Excused: Fewell

Total Present: 25 Total Excused: 1

No. 14 -- ADJOURNMENT TO WEDNESDAY, MAY 28, 2008 AT 5:30 P.M. LEGISLATIVE ROOM, #203, CITY HALL, 100 NORTH JEFFERSON STREET, GREEN BAY, WISCONSIN.

A motion was made by Supervisor De Wane and seconded by Supervisor Warpinski **“to adjourn to the above date and time”**. Voice vote taken. Motion carried unanimously with no abstentions.

Meeting adjourned at 11:40 p.m.

\s\ DARLENE K. MARCELLE
Brown County Clerk